

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

FCC MAIL SECTION

JUL 22 1993

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IN REPLY REFER TO:

C. Howard McDonald
Technical Advisor for
Liberty Educational Foundation
P. O. Box 807
Veradale, WA 99037

DISPATCHED BY

Re: RM-8055

Dear Mr. McDonald:

This is in response to the petition for rule making you filed requesting the reallocation of Channel 272A from Coeur d'Alene, Idaho, to Post Falls, Idaho, and the designation of Channel 272A as a noncommercial educational channel. We are returning your petition as unacceptable for consideration for the following reasons.

Your petition for rule making notes that Channel 272A was allotted to Coeur d'Alene in 1982. You believe that the Commission cancelled the construction permit issued to Communications Group, Inc. ("CGI"), for unbuilt Station KETB(FM), Channel 272A, Coeur d'Alene, and therefore the channel is vacant and available for reallocation, redesignation and application.

Although the Commission cancelled the permit for Station KETB(FM) at Coeur d'Alene, CGI timely filed a petition for reconsideration of that action. That petition was on file at the Commission when you filed your petition for rule making. On January 14, 1993, the Commission granted CGI's petition for reconsideration and reinstated the construction permit (BPH-820927AG, as modified) and also granted its application (BMPH-860513JC) for extension of time and its modification application (BPH-920724IE) for a construction permit. Therefore, Channel 272A is not a vacant channel.

In view of the above, we find that your petition for rule making is unacceptable for consideration.

Sincerely,

Michael C. Ruger
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

bc: Secretary's Office (2 copies) (filed 7/8/92)

NWalls/Letters/donald (wp5.0)
(drafted 7/19/93)

MMB